

रजिस्टर्ड नं० ३०/एस० १४.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, सोमवार, 6 अक्टूबर, 1986/14 आश्विन, 1908

हिमाचल प्रदेश सरकार

PERSONNEL DEPARTMENT

NOTIFICATIONS

Shimla-2, the 19th September, 1986

No. Per (A-I)-B (15)-2/79.—In exercise of the powers conferred by rule 27 of the Himachal Pradesh Administrative Service Rules, 1973, the Governor, Himachal Pradesh is pleased to appoint the following substantive members of Himachal Pradesh Administrative Service to the Selection grade of the service (2000—2400) with effect from the dates mentioned against their names, in relaxation of the provision of minimum 12 years service provided in Rule 23 (4) (b) of HPAS Rules, 1973:—

1. Shri Kashmir Chand
2. Shri N. K. Misra

6-5-86
1-8-86.

The Governor, Himachal Pradesh is further pleased to order that Shri Kashmir Chand, Deputy Excise & Taxation Commissioner (Hqrs) Shimla Himachal Pradesh shall henceforth function as Joint Excise & Taxation Commissioner (Hqrs.) Himachal Pradesh and Shri N. K. Misra, Under Secretary (Food & Supplies) to Himachal Pradesh Government shall henceforth function as Deputy Secretary (Food & Supplies) to the Government of Himachal Pradesh.

By order,
P. K. MATTOO,
Chief Secretary.

Shimla-2, the 19th September, 1986

No. Per (AP-II) A (3)-2/85.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, hereby makes the following rules regulating the reservation of vacancies in the Himachal Pradesh Technical Services/Posts for the Ex-servicemen namely:—

1. *Short title, commencement and application.*—(1) These rules may be called the Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985.

(2) These Rules shall come into force with immediate effect.

(3) These rules shall apply to all technical posts/services in the Himachal Pradesh which are filled up by direct recruitment through competitive examination, interview/test conducted by the Himachal Pradesh Public Service Commission or by the appointing authority, as the case may be.

2. *Definitions.*—(a) “Technical posts” mean all posts in the Medical and Engineering Services under the Government of Himachal Pradesh.

(b) “Ex-servicemen” means a person who joined any rank (whether as a combatant or as non combatant) on or after the 1st day of November, 1962, in the Armed Forces of the Union, excluding the Assam Rifles, Defence Security Corps, General Reserve Engineering Force, Lok Sahayak Sena and Territorial Army, and served therefore a continuous period of not less than six months after attestation; and

- (i) has been released, otherwise than at his own request or by way of dismissal or discharge on account of misconduct or inefficiency, or has been transferred to reserve pending such release; or
- (ii) has to serve for not more than six months for completing the period of service requisite for becoming entitled to be released or transferred to the reserve as aforesaid; or
- (iii) has been released at his own request, after completing five years service in the Armed Forces of the Union.

3. *Reservation of Vacancies.*—(1) Fifteen per cent of the vacancies to be filled by direct recruitment in the Himachal Pradesh Technical Services shall be reserved for being filled in by recruitment of Ex-servicemen:

Provided that whatever vacancies are left over due to non-availability of suitable ex-servicemen who joined service or were commissioned on or after the 1st day of November, 1962, will be filled by suitable ex-servicemen who joined service or were commissioned before the 1st day

of November, 1962. The concessions such as relaxation in age as provided in these Rules, shall also be admissible to such ex-servicemen. However, the benefit of counting the period of approved military service for the purposes of fixation of seniority and pay as provided in rule 5 (1) of these Rules, shall not be admissible to such ex-servicemen.

(2) Where, in any year, vacancies reserved for the Ex-servicemen remain unfilled for want of suitable Ex-servicemen, such vacancies may be filled up temporarily from any other source in accordance with the Recruitment Rules for the time being in force, for filling up vacancies, which are not reserved. The number of such vacancies shall be carried forward to the next succeeding year:

Provided that no such vacancies shall be carried forward for more than four years:

Provided further that the dependent sons and daughters and wives of Ex-servicemen who fulfil conditions of education, age etc. prescribed for various posts shall also be considered on merit for the posts reserved for Ex-servicemen to the extent of non-availability of suitable ex-servicemen after four years and if no suitable son/daughter/wife of Ex-servicemen is available in the fifth year, the vacancies shall lapse. This entitlement would be available to one dependent ward-wise only. In the event of selection of the wards/wives of Ex-servicemen against the reserved vacancies under these rules, they will not be entitled to any other benefits which are available to the ex-servicemen under these rules:

Provided further that the total number of vacancies reserved for ex-servicemen, Scheduled Castes, Scheduled Tribes, Backward Classes and other categories, along with carry forward reservation in Himachal Pradesh Technical Services shall not exceed 50% (Fifty per cent) of the total number of vacancies to be filled up on a particular occasion.

4. *Method of recruitment, qualification, age limit etc. of Ex-servicemen.*—(1) Vacancies reserved for the Ex-servicemen shall be filled up on the basis of their record of Military service (Discharge certificate) and their performance at a written examination and/or viva-voce test to be conducted by the Himachal Pradesh Public Service Commission or any other recruiting authority, as the case may be.

(2) No Ex-serviceman shall be eligible to appear for an examination referred to in Rule 4 (1) above unless he—

- (a) he possesses the minimum educational qualifications & other essential qualifications prescribed in the Recruitment & Promotion Rules for direct recruitment to the post on which he is to be appointed;
- (b) his age at the time of joining Military service or training prior to the Commission, as the case may be does not exceed the upper age limit prescribed for direct recruitment to such posts; and
- (c) after release from the Armed Forces of the Indian Union, he is found to be physically and mentally fit in accordance with the provisions of the service rules applicable to such posts.

5. *Seniority and Pay.*—(1) Only the period of approved Military service rendered after attaining the minimum age prescribed for appointment to the service concerned by the candidates appointed against reserved vacancies under the relevant rules, shall count towards fixation of pay and seniority in that service at the time of first civil appointment against reserved

vacancy. This benefit shall not be admissible in subsequent appointments of Ex-servicemen who are already employed under the State/Central Government against reserved posts.

(2) *Inter-se* seniority of candidates who are appointed against the vacancies reserved under rule 3 and allotted to a particular year, shall be determined on the basis of their dates of birth; the candidates elder in age to be placed senior to the one younger in age:

Provided that in the case of candidates having the same date of birth, seniority shall be determined according to the merit list prepared by the recruiting authority on the basis of result of the test of examination.

(3) All candidates appointed against the reserved vacancies under rule 3 shall rank below the candidates appointed by direct recruitment in the year to which the former candidates are allotted.

6. *Over riding effect of these rules.*—The provisions of these rules shall have effect notwithstanding anything to the contrary contained in any other rules.

S. S. PARMAR,
Secretary.